IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 300 OF 1999

IN

SUM. SUIT NO. 23 OF 1999

I.C.D.S. Limited .. Plaintiff.

vs.

M/s. APS-Star Industries

Ltd,. .. Defendants.

Mr. R.C. Dubey i/by Sanjeev Kanchan & Co.

for plaintiff.

Sunita Vishwakarma i/by Devendra Sharma

for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 19th SEPTEMBER, 2005.

P.C.:

. The present summary suit is filed on the bill of exchange for Rs. 43,95,230.00 and Rs. 49,75,776.00. The particulars of claim indicates that with interest the amount outstanding on the two bills comes to Rs. 1,17,27,878/-. The defendants are served. The summons for judgment is taken out. There is no reply to the summons for judgment. The

defendant company was under BIFR. Now the BIFR reference is rejected and the learned advocate has produced a web site extract indicating that the winding up proceedings are recommended. In that view of the matter, section 22 does not apply. Accordingly, summons for judgment is made absolute. Suit is decreed as prayed. Refund of Court fees as pe rules. No order as to costs.